

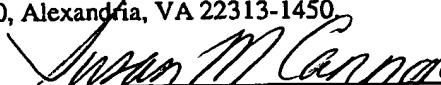


PATENT  
ATTORNEY DOCKET NO.: 50347/002004

Certificate of Mailing: Date of Deposit: November 19, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan M. Cannon  
Printed name of person mailing correspondence

  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David Sabatini	Art Unit:	1636
Serial No.:	09/817,003	Examiner:	S. Kaushal
Filed:	March 22, 2001	Customer No.:	21559
Title:	ARRAYED TRANSFECTION METHOD AND USES RELATED THERETO		

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 AND 3.73(b)

The owner, Whitehead Institute for Biomedical Research, a corporation of the State of Delaware, having a place of business in Cambridge, Massachusetts, the assignee of the entire right, title, and interest in the above-identified application seeks to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Whitehead Institute for Biomedical Research hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-identified

application subsequent to the expiration date of U.S. Patent No. 6,544,790. Whitehead Institute for Biomedical Research does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,544,790 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

The undersigned (whose title is supplied below) is empowered to act on behalf of Whitehead Institute for Biomedical Research in making this terminal disclaimer. The undersigned further certifies that Whitehead Institute for Biomedical Research is the assignee of the entire right, title, and interest in the above-identified application by virtue of an assignment from the inventor. The assignment of this application was recorded in the Patent and Trademark Office at Reel/Frame 012567/0140 on February 7, 2002. A copy of the assignment is enclosed.

Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is filed to obviate a double patenting rejection in the above-referenced patent application. Any patent granted on the above-referenced application or any resulting patent subject to reexamination proceedings shall be enforceable only for and during such period that said patent is commonly owned with the application or patent which formed the basis for the

rejection.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 11/22/04

By:

Patricia Graham

Printed Name:

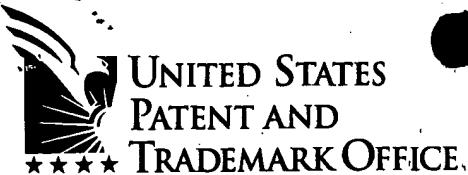
Patricia Graham

Title:

Patent Counsel

For:

Whitehead Institute  
for Biomedical Research



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APRIL 09, 2002

PTAS

Chief Information Officer  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

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\*101984249A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/07/2002

REEL/FRAME: 012567/0140  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SABATINI, DAVID M.

DOC DATE: 06/27/2001

ASSIGNEE:  
WHITEHEAD INSTITUTE FOR BIOMEDICAL  
RESEARCH  
NINE CAMBRIDGE CENTER  
CAMBRIDGE, MASSACHUSETTS 02142

SERIAL NUMBER: 09817003  
PATENT NUMBER:

FILING DATE: 03/22/2001  
ISSUE DATE:

RECEIVED

APR 16 2002

FISH & NEAVE - PATENT DEPT.  
REFERRED TO KAC  
NOTED BY 418  
418

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

02-15-2002



AKCELI-1

To the Commissioner of Patents and

101984249

ginal documents or copy thereof.

## 1. Name of conveying party(ies):

David M. Sabatini

27.02

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment Security Agreement Other Merger Change of Name

Execution Date(s): June 27, 2001

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date(s) of the application is/are:

and the attorney docket number is:

## A. Patent Application No.(s)

09/817,003

## B. Patent No.(s)

FEB - 7 2002

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Fish &amp; Neave

Internal Address: Karen E. Brown

Street Address: 1251 Avenue of the Americas

City: New York State: NY ZIP: 10020-1104

6. Total number of applications and patents involved:  1

## 7. Total fee (37 CFR 3.41).....\$ 40.00

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## 8. Deposit account number:

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Karen E. Brown

Name of Person Signing

Karen E. Brown

Signature

February 1, 2002

Date

Reg. No. 43,866

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P.O. Box 2327, Arlington, Virginia 22202

02/14/2002 LUETTLER 00000065 09817003

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ASSIGNMENT

WHEREAS, I, **David M. Sabatini**, have invented a certain improvement in **Arrayed Transfection Method and Uses Related Thereto**, described in an application for Letters Patent of the United States, the specification of which:

[ ] is being executed on even date herewith and is about to be filed in the United States Patent Office;

[X] was filed on March 22, 2001 and given Application No. 09/817,003;

[ ] was patented under U.S. Patent No. [ ] on [ ].

WHEREAS, **Whitehead Institute for Biomedical Research** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware** and having a usual place of business at **Nine Cambridge Center, Cambridge, Massachusetts 02142** desires to acquire an interest therein in accordance with agreements duly entered into with me;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made; I hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. I hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such

Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, I hereby further agree for myself and my executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, I do hereby authorize and request the Commissioner of Patent of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal the date set forth below.

Inventor's Signature: 

David M. Sabatini

State/Commonwealth

Of Massachusetts

County of Middlesex

Then personally appeared before me the above-named David M. Sabatini and acknowledged that he executed the foregoing instrument as his free act and deed this 27 day of June, 2001.

(SEAL)

Clotilda M. Ware  
Notary Public  
Clotilda M. Ware  
(print name)

My Commission Expires: June 14, 2007